

# SENATE BILL 115

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By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)**

Introduced and read first time: January 18, 2012

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 14, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Environment – Waterworks and Wastewater Works Certified Operators**

3 FOR the purpose of authorizing certain waterworks, wastewater works, and industrial  
4 wastewater works to be under the supervision of a certified operator instead of a  
5 certified superintendent under certain circumstances; and generally relating to  
6 the supervision of a waterworks, a wastewater works, and an industrial  
7 wastewater works.

8 BY repealing and reenacting, with amendments,  
9 Article – Environment  
10 Section 12–402 and 12–501  
11 Annotated Code of Maryland  
12 (2007 Replacement Volume and 2011 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Environment**

16 12–402.

17 (a) **[Each] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**  
18 **EACH** waterworks, wastewater works, and industrial wastewater works shall be under  
19 the supervision of a superintendent who is certified in the appropriate classification.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) A WATERWORKS, A WASTEWATER WORKS, AND AN INDUSTRIAL  
 2 WASTEWATER WORKS MAY HAVE A CERTIFIED OPERATOR SERVE IN  
 3 RESPONSIBLE CHARGE INSTEAD OF A CERTIFIED SUPERINTENDENT IF  
 4 APPROVED BY THE DEPARTMENT AND IF THE FACILITY:

5 (1) SERVES FEWER THAN 500 PERSONS;

6 (2) HAS MINIMAL TREATMENT REQUIREMENTS AS DETERMINED  
 7 BY THE DEPARTMENT; AND

8 (3) EMPLOYS NO MORE THAN TWO OPERATORS.

9 (c) The Department shall enforce this section.

10 12-501.

11 (a) A person or municipal or private corporation may not operate a  
 12 waterworks, wastewater works, or industrial wastewater works unless the facility is  
 13 under the responsible charge of a certified superintendent **OR CERTIFIED OPERATOR**  
 14 **AS PROVIDED UNDER § 12-402 OF THIS TITLE.**

15 (b) After July 1, 1982, a person or municipal or private corporation may not  
 16 operate a waterworks or wastewater works unless all operators in the waterworks or  
 17 wastewater works are certified operators.

18 (c) After July 1, 1982, a person or municipal or private corporation may not  
 19 operate an industrial wastewater works unless all industrial operators in the  
 20 industrial wastewater works are certified industrial operators.

21 (d) The Department shall enforce this section.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 23 October 1, 2012.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.